

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT
 SUPERSEDING

OFFENSE CHARGED

18 U.S.C. § 2252(a)(4)(B) – Possession of Child Pornography

Petty
 Minor
 Misdemeanor
 Felony

PENALTY: SEE ATTACHMENT.

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND**DEFENDANT - U.S.**

KENNETH BRESLIN

DISTRICT COURT NUMBER

CR16-00515

YGR

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

Department of Homeland Security

person is awaiting trial in another Federal or State Court,
give name of court

this person/proceeding is transferred from another district
per (circle one) FRCrp 20, 21, or 40. Show District

this is a reprocution of
charges previously dismissed
which were dismissed on motion
of:

U.S. ATTORNEY DEFENSE

SHOW DOCKET NO.

this prosecution relates to a
pending case involving this same
defendant

MAGISTRATE
CASE NO.

prior proceedings or appearance(s)
before U.S. Magistrate regarding this
defendant were recorded under

{}

Name and Office of Person
Furnishing Information on this form BRIAN J. STRETCH U.S. Attorney Other U.S. AgencyName of Assistant U.S.
Attorney (if assigned)CHRISTINA McCALL**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

1) If not detained give date any prior
summons was served on above charges2) Is a Fugitive3) Is on Bail or Release from (show District)

Contra Costa County

IS IN CUSTODY4) On this charge5) On another conviction} Federal State6) Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer Yes
been filed? No} If "Yes"
give date
filedDATE OF
ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED
TO U.S. CUSTODY

Month/Day/Year

 This report amends AO 257 previously submitted**PROCESS:** SUMMONS NO PROCESS* WARRANT

Bail Amount: No bail

If Summons, complete following:

 Arraignment Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____ Before Judge: _____

Comments:

PENALTY SHEET ATTACHMENT FOR KENNETH BRESLIN

COUNT ONE: 18 U.S.C. § 2252(a)(4)(B) – Possession of Child Pornography:

If Visual Depictions Do Not Involve Pre-Pubescent Minor:

Maximum Imprisonment:	10 years
Maximum Fine:	\$250,000
Maximum Supervise Release:	Life
Minimum Supervised Release:	5 years
Special Assessment:	\$5,000 (18 U.S.C. § 3014)

If Visual Depictions Do Involve Pre-Pubescent Minor:

Maximum Imprisonment:	20 years
Maximum Fine:	\$250,000
Maximum Supervise Release:	Life
Minimum Supervised Release:	5 years
Special Assessment:	\$5,000 (18 U.S.C. § 3014)

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE:

CR16-00515

YGR

UNITED STATES OF AMERICA,

v.

KENNETH BRESLIN,

FILED

DEC 15 2016

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

DEFENDANT.

INDICTMENT

18 U.S.C. § 2252(a)(4)(B) – Possession of Child Pornography;
18 U.S.C. §§ 2253(a)(1) and (a)(3);
28 U.S.C. § 2461(c) – Criminal Forfeiture

A true bill.



Foreman

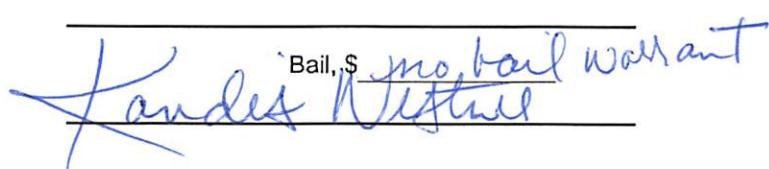
Filed in open court this 15th day of December

 2016

Clerk

Bail, \$

no bail warrant


Kenley Nistel

1 BRIAN J. STRETCH (CABN 163973)
2 United States Attorney
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FILED

DEC 15 2016

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

9
10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 OAKLAND DIVISION

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16 KENNETH BRESLIN,

17 Defendant.

) NO. CR16-00515 YGR
)
)
)
)
VIOLATION: 18 U.S.C. § 2252(a)(4)(B) –
Possession of Child Pornography; 18 U.S.C. §§
2253(a)(1) and (a)(3); 28 U.S.C. § 2461(c) – Criminal
Forfeiture
)
)
OAKLAND VENUE
)

18
19 I N D I C T M E N T

20 The Grand Jury charges:

21 COUNT ONE: (18 U.S.C. § 2252(a)(4)(B) – Possession of Child Pornography)

22 The Grand Jury charges:

23 From a date unknown to on or about October 5, 2016, in the Northern District of California, the
24 defendant,

25 KENNETH BRESLIN,

26 did knowingly possess and knowingly access with the intent to view at least one matter which contained
27 a visual depiction that had been shipped and transported using a means and facility of interstate and
28 foreign commerce and in and affecting interstate and foreign commerce, and which was produced using

1 materials that had been mailed, shipped and transported in interstate commerce, by any means including
2 by computer, the production of which involved the use of a minor engaging in sexually explicit conduct,
3 and which depiction was of such conduct, in violation of Title 18, United States Code, Section
4 2252(a)(4)(B).

5 FORFEITURE ALLEGATION: (18 U.S.C. § 2428 – Criminal Forfeiture)

6 Upon conviction of any of the offenses alleged in Count One, the defendant,

7 KENNETH BRESLIN,

8 shall forfeit to the United States pursuant, to Title 18, United States Code, Section 2428(1), any
9 property, real or personal, that was used or intended to be used to commit or to facilitate the commission
10 of such violation; and (2) any property, real or personal, constituting or derived from any proceeds that
11 such person obtained, directly or indirectly, as a result of such violation, including but not limited to the
12 following items:

- 13 a. Toshiba Laptop, Model C55T, Serial # 9F257028C, black with silver lettering
14 (Contra Costa D.A. (CCDA) Item #1);
- 15 b. Toshiba hard Disk Drive (“HDD”), 1Tb, Model MQ01ABD100, S/N
16 957MW4YST (CCDA Item #3);
- 17 c. Toshiba Laptop, model # L25-S1216, S/N Z5118470W (CCDA Item #6);
- 18 d. Toshiba HDD, Model # MK5065GSXN, S/N 816UT1QET, 8gb (CCDA Item #9);
- 19 e. Memorex Traveldrive USB 2.0 thumb drive, 512mb, gray in color (CCDA Item
20 #11).

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1 All pursuant to Title 18, United States Code, Sections 2423 and 2428; Title 21, United States Code,
2 Section 853; and the procedures set forth in Federal Rule of Criminal Procedure 32.2.

3
4 DATED: 12/15/16

A TRUE BILL.

5 
6 FOREPERSON

7 BRIAN J. STRETCH
United States Attorney

8 
9 ELISE BECKER
10 Deputy Chief, Criminal Division

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12 (Approved as to form: 
AUSA CHRISTINA MCCALL)

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